

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

IN RE:

APPLICATION OF INTERNATIONAL MINERAL
RESOURCES B.V. FOR AN ORDER TO TAKE
DISCOVERY PURSUANT TO 28 U.S.C. § 1782

Applicant.

Case No. _____

DECLARATION OF JONATHAN D. COGAN

Pursuant to 28 U.S.C. § 1746, I, Jonathan D. Cogan, declare under penalty of perjury as follows:

1. I am an attorney licensed to practice in the State of New York and before this Court. I am a partner at the law firm Kobre & Kim LLP, counsel for International Mineral Resources B.V. (“IMR”).

2. I submit this Declaration in support of the Application for an Order under 28 U.S.C. § 1782 Permitting IMR to Take Discovery from Scott Horton.

3. Attached hereto as Exhibit A is a proposed subpoena seeking the production of documents and testimony from Scott Horton.

4. Attached hereto as Exhibit B is a true and correct copy of Mr. Horton’s public LinkedIn profile preview page, available at <https://www.linkedin.com/pub/scott-horton/4/a57/583> (last visited Aug. 1, 2015).

5. Attached hereto as Exhibit C is a true and correct copy of Mr. Horton's Author Page on the Harper's Magazine website, available at <http://harpers.org/author/scotthorton/> (last visited Aug. 2, 2015).

6. Attached hereto as Exhibit D is a true and correct copy of Mr. Horton's Member Profile page from the New York City Bar Association website, available at <http://www.nycbar.org/membership/member-profiles/1402-scott-horton> (last visited Aug. 1, 2015).

7. Attached hereto as Exhibit E is a true and correct copy of an excerpt of a Westlaw PeopleMap report regarding Mr. Horton.

8. Attached hereto as Exhibit F is a true and correct copy of the Declaration of Tadeusz Jarmolkiewicz, *In re Application of International Mineral Resources B.V. For An Order To Take Discovery Pursuant to 28 U.S.C. § 1782* ("In re IMR"), No. 14-00340 (D.D.C. May 18, 2015), ECF No. 27-7.

9. Attached hereto as Exhibit G is a true and correct copy of the Declaration of Akis Phanartzis, *In re IMR*, No. 14-00340 (D.D.C. May 18, 2015), ECF No. 27-5.

10. Attached hereto as Exhibit H is a true and correct copy of the Declaration of Raphael Rahav, *In re IMR*, No. 14-00340 (D.D.C. May 18, 2015), ECF No. 27-6.

11. Attached hereto as Exhibit I is a true and correct copy of the Declaration of Melanie Maugeri, *In re IMR*, No. 14-00340 (D.D.C. May 18, 2015), ECF No. 27-13.

12. Attached hereto as Exhibit J is a true and correct copy of IMR's Section 1782 Application seeking discovery from Rinat Akhmetshin, which was filed *ex parte* on April 3, 2014 in *In re IMR*.

13. Attached hereto as Exhibit K is a true and correct copy of the September 23, 2014 Memorandum Order entered by the U.S. District Court for the District of Columbia (“DDC”) in *In re IMR*.

14. Attached hereto as Exhibit L is a true and correct copy of IMR’s Memorandum of Law in Support of its Motion to Renew its Section 1782 Application seeking discovery from Rinat Akhmetshin, *In re IMR*, No. 14-00340 (D.D.C. Oct. 30, 2014), ECF No. 18.

15. Attached hereto as Exhibit M is a true and correct copy of the February 5, 2015 Memorandum Order entered by the DDC in *In re IMR*.

16. Attached hereto as Exhibit N is a true and correct copy of Exhibit H to IMR’s Motion to Compel, *In re IMR*, No. 14-00340 (D.D.C. May 18, 2015), ECF No. 27-9.

17. Attached hereto as Exhibit O is a true and correct copy of the Declaration of Patrick P. Salisbury, *In re IMR*, No. 14-00340, (D.D.C. June 18, 2015), ECF No. 39-4.

18. Attached hereto as Exhibit P is a true and correct copy of the Affidavit of Rinat Akhmetshin, *In re IMR*, No. 14-00340 (D.D.C. May 15, 2014), ECF No. 10-1.

19. Attached hereto as Exhibit Q is a true and correct copy of Rinat Akhmetshin’s Opposition to IMR’s Motion to Compel, *In re IMR*, No. 14-00340 (D.D.C. June 18, 2015), ECF No. 38.

20. Attached hereto as Exhibit R is a true and correct copy of Exhibit A to IMR’s Reply in Further Support of its Motion to Compel, *In re IMR*, No. 14-00340 (D.D.C. June 25, 2015), ECF No. 43-1.

21. Attached hereto as Exhibit S is a true and correct copy of EuroChem Volga-Kaliy LLC’s Opposition to IMR’s Motion to Compel, *In re IMR*, No. 14-00340 (D.D.C. June 18, 2015), ECF No. 39.

22. Attached hereto as Exhibit T is a true and correct copy of IMR's Memorandum of Law in Support of its Motion to Compel, *In re IMR*, No. 14-00340 (D.D.C. May 18, 2015), ECF No. 27-1.

23. Attached hereto as Exhibit U is a true and correct copy of Exhibit S to IMR's Motion to Compel, *In re IMR*, No. 14-00340 (D.D.C. May 18, 2014), ECF No. 27-20.

24. Attached hereto as Exhibit V is a true and correct copy of Exhibit A to IMR's Motion to Compel, *In re IMR*, No. 14-00340 (D.D.C. May 18, 2015), ECF No. 27-2.

25. Attached hereto as Exhibit W is a true and correct copy of the Declaration of Rinat Akhmetshin filed in *Egiazaryan v. Zalmayev*, No. 11-2670 (S.D.N.Y. Aug. 22, 2012), ECF No. 177.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed in New York, New York, on this 4 day of August, 2015.



Jonathan D. Cogan